

**REMARKS**

Upon entry of the herein contained amendment, claim 1 will have been amended. Accordingly, claim 1 and claims 3-16 will remain pending in the present application. In view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicants wish to respectfully thank the Examiner for his review and consideration of the documents cited by Applicants in the Information Disclosure Statement filed in the present application on March 29, 2007. Applicants respectfully thank the Examiner for indicating consideration of the cited documents by the return of a signed and initialed copy of the PTO-1449 form attached to the above noted Information Disclosure Statement.

In the outstanding Official Action, the Examiner rejected claim 1 and claims 3-16 under 35 U.S.C. § 103(a) as being unpatentable over CHEN et al. (U.S. Patent No. 6,647, 173) in view of MAKIO (U.S. Patent Application Publication No. 2003/0053744) and O'TOOLE et al. (U.S. Patent Application Publication No. 2003/0138219).

Applicants respectfully submit that the above noted rejection is inappropriate with respect to the combination of features recited in the claims of the present application. Accordingly, Applicants respectfully traverse the above noted rejection and respectfully

request withdrawal thereof, together with an indication of the allowability of all the claims pending in the present application.

Applicants invention is directed to an optical switch for switching combinations of optical paths between a plurality of optical fibers. Applicants invention, as defined in presently pending claim 1, includes a device body with a least three optical fibers extending there from and a switching optical block housed in the device body so as to be optically coupled to the respective optical fibers. The optical block comprises an integrally formed lens block having one surface side to place the optical fibers on, and comprising three integrally formed collimating lenses positioned side-by-side in the device body. Each collimating lens has a same focal length and is configured to position the optical axis of the optical fibers in a same plane, two of the collimating lenses having parallel optical axes and the optical axis of the third collimating lens being skewed with respect to the optical axes of the two collimating lenses. Applicants invention further includes a prism which is spaced from the lens block on the other surface side of the lens block such that the direction of travel of light incident from one of the optical fibers through the collimating lens is changed by the prism to be directed towards a further optical fiber. A switching mirror is insertable into and removable from between the lens block and the prism and an actuator is provided for driving the mirror. The respective optical fibers extend from the one surface side of the device body and optically coupled surfaces of the respective optical fibers are positioned on the respective focal points of the collimating lenses.

The above noted combination of features, as recited e.g. in Applicants claim 1, is not taught, disclosed or rendered obvious by any proper combination of CHEN et al. MAKIO and O'TOOLE et al.

In setting forth the rejection, the Examiner relied primarily upon the disclosure of CHEN et al. The Examiner relied upon MAKIO for disclosing an optical switch with at least three optical fibers and upon O'TOOLE et al. for disclosing an optical module comprising an integrally formed lens block. However, neither one nor any proper combination of the above-noted three applied references discloses three integrally formed collimating lenses positioned side-by-side in the device body, each collimating lens having a same focal length and configured to position the optical axes of the collimating lenses in a same plane, two of the collimating lenses having parallel optical axes and the third collimating lens having an optical axis that is skewed with respect to the optical axes of the two collimating lenses, in the claimed combination. Additionally, no proper combination of the references discloses that the optically coupled surfaces of the respective optical fibers are positioned on the respective focal points of the collimating lenses, in the claimed combination.

Thus, the combination of features recited in Applicants claims are not rendered obvious by the combination of references relied upon by the Examiner, even if, assuming for arguments sake, that there is a proper logical reasoning for the Examiner's proposed combination.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection, together with an indication of the allowability of all the claims pending in the present application.

Applicants note that the status of the present application is after final rejection and that an Applicant does not have the right to amend an application once a final rejection has been issued. Nevertheless, Applicants submit that entry of the present amendment is appropriate and proper and in accordance with 37 C.F.R. § 1.116. In particular, the present amendment is submitted to not raise any new issues requiring further consideration or search. Rather, the present amendment merely clarifies the features of Applicants' invention and thus clearly places the present application in condition for allowance.

Thus, Applicants respectfully request entry of the present amendment, reconsideration of the outstanding rejection and an indication of the allowability of all of claims 1 and 3-16 pending herein.

### **SUMMARY AND CONCLUSION**

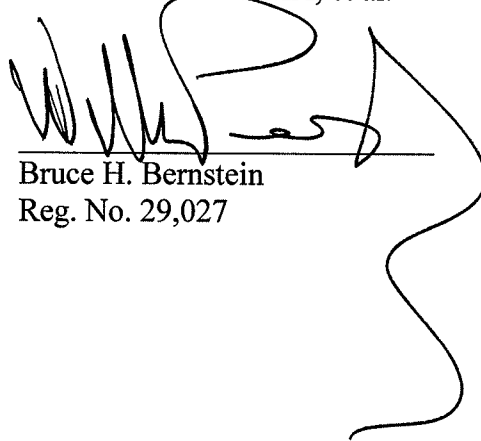
Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended the independent claim in the present application to clarify the recitations thereof without raising new issues that would require further consideration or search. Applicants have discussed the features of the claimed invention and, with respect to such features, have noted the shortcomings of the combination of references asserted thereagainst by the Examiner. Applicants have additionally discussed the disclosures of the references cited by the Examiner and noted the deficiencies thereof with respect to the features of Applicants invention. Applicants have additionally pointed out a basis for entry of the present amendment in accordance with 37 C.F.R. § 1.116.

Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully request an indication to such effect, in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions regarding this paper or the present application, the Examiner is respectfully requested to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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